

**MINUTES OF MIDWAY TOWN COUNCIL REGULAR MEETING HELD ON FEBRUARY 4, 2013 AT 7:00 P.M. AT MIDWAY FIRE AND RESCUE BUILDING, 228 MIDWAY SCHOOL ROAD, MIDWAY, NORTH CAROLINA**

**CALL TO ORDER**

Mayor Norman Wilkes called the meeting to order and welcomed everyone present.

Mayor Pro Tem Mike McAlpine gave the invocation and led in the Pledge of Allegiance prior to the opening gavel.

Councilors present were: John Byrum, Mike McAlpine, Robin Moon, Todd Nifong, and Sue Stephens. Absent: None. Town Manager Ryan Ross, Town Attorney Jim Lanik and Town Clerk Linda Hunt were present.

Each Councilor had been furnished an agenda prior to the meeting.

No members of press were in attendance.

**APPROVAL OF MINUTES**

On motion by Councilor Todd Nifong, seconded by Councilor Sue Stephens, Council voted unanimously to approve the minutes of the January 7, 2013 Town Council regular meeting as presented.

**PUBLIC ADDRESS**

There were none.

**ADOPT AGENDA**

On motion by Councilor Byrum, seconded by Councilor Moon, Council voted unanimously to adopt the agenda as amended.

**OPENING REMARKS BY MAYOR**

Mayor Wilkes welcomed the Old North State Council High Point Boy Scout Troop members to the Town Council meeting who were attending the meeting as part of the requirements in earning their Citizenship in the Community merit badges. Attending were Trevor Ramsey, Reese Ramsey, Tyler Tucker, and Brent Turner. Following the introduction, Mayor Wilkes opened the floor to give the Scouts an opportunity to ask the Council any questions they may have.

**REGULAR BUSINESS**

**AWARD BID ON SEWER EXTENSION UNDER HICKORY TREE ROAD**

On Tuesday, January 29, 2013, at 2:00 p.m., the Town of Midway received construction proposals for the Sewer Across Hickory Tree Road Project at Town Hall in Midway, North Carolina. The informal bidding process was used so there were no restrictions on the minimum number of bids. Four contractors were provided bid packages with the desire to obtain at least three bids.

The following construction proposals were requested:

Approximately 225 linear feet of 8-inch gravity sewer, including 140 linear feet of steel casing bored and jacked under Hickory Tree Road.

Four contractors submitted proposals on the project with bids ranging from \$63,947.50 to \$163,016.00. The low bid proposal was submitted by Yates Construction Co., Inc. of Stokesdale, North Carolina at

\$63,947.50. The second low proposal was submitted by BRS, Inc. of Richfield, North Carolina at \$125,061.00. The third lowest proposal was submitted by H&C Utilities, Inc. of Clemmons, North Carolina at \$126,617.69.

**Bid Tabulation**

**BID DATE/TIME: JANUARY 29, 2013 AT 2:00 P.M.**

**TWC NO. 3080-CBG002**

<b>CONTRACTORS</b>	<b>LICENSE</b>	<b>BID AMOUNT</b>	<b>REMARKS</b>
<b>BRS, Inc. P. O. Box 456 Richfield, NC</b>	<b>20414</b>	<b>\$125,061.00</b>	<b>2nd</b>
<b>H&amp;C Utilities, Inc. 8200 N Hwy. 150 Clemmons, NC 27012</b>	<b>20898</b>	<b>\$126,617.69</b>	<b>3rd</b>
<b>Ramey, Inc. 5121 North Causeway Winston-Salem, NC 27106</b>	<b>9727</b>	<b>\$163,016.00</b>	
<b>Yates Construction Company, Inc. 9220 NC 65 Stokesdale, NC 27357</b>	<b>10022</b>	<b>\$63,947.50</b>	<b>Low</b>

Project Cost:

Construction Cost	\$63,947.50
Contingency (5%)	3,025.50
Design and Bidding Services	10,000.00
Construction Administration and Observation	<u>7,500.00</u>
Total Project Cost	\$84,473.00

Yates Construction Company, Inc. was the contractor for Midway's Hickory Tree Road Area Sewer Project. This project was completed satisfactorily.

Based on all information included in this discussion, The Wooten Company offers no objection to the award of the Sewer Across Hickory Tree Road project to Yates Construction Company, Inc. of Stokesdale, North Carolina at the unit price contract amount of \$63,947.50.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Stephens, Council voted unanimously to award the Sewer Across Hickory Road project to Yates Construction Company, Inc. of Stokesdale, North Carolina at the unit price contract amount of \$63,947.50 and to authorize the Mayor to execute the contract, subject to approval by the Town Attorney.

**RATIFY APPROVAL OF GRANT APPLICATION FOR TRANSPORTATION COSTS FOR FIELD TRIP TO CIVIL RIGHTS MUSEUM**

Town Manager Ryan Ross reported the Midway Community Group submitted a grant application to request funds for cost of transportation for a group field trip to the Civil Rights Museum. The group was comprised of both students and residents in Midway. Transportation was provided by American Coach Lines at a cost of \$503.00.

On motion by Councilor Moon, seconded by Councilor Byrum, Council voted unanimously to ratify approval of the grant application by Midway Community Group for transportation costs in the amount of \$503.00.

**DISCUSSION AND POSSIBLE ACTION - TOWN OF MIDWAY PLANNING AND ZONING BOARD**

**A. AMENDMENT TO ORDINANCE ESTABLISHING THE TOWN OF MIDWAY PLANNING AND ZONING BOARD/BOARD OF ADJUSTMENT**

**B. APPOINTMENT TO FILL VACANCY**

Mayor Pro Tem Mike McAlpine reported there is a discrepancy in the ordinance that Council adopted on May 8, 2008 to establish the Town of Midway Planning and Zoning Board/Board of Adjustment regarding the length of terms for members of the Board. The ordinance established staggered 3-year terms; however, the Board members were appointed for 4-year terms. It is proposed to amend the ordinance to change the length of terms from three (3) years to four (4) years.

The proposed amendment also includes adding an alternate member to the Board. All members, with the exception of the alternate member, would have equal rights, privileges and duties. When a member of a Board is absent from a meeting, the alternate member would serve in that member's absence and would have all the rights, privileges, and duties of a member of the Board at that time.

There are also a few minor clean-ups in the original ordinance that will be made in the proposed amendment.

Council was provided copies of the original ordinance adopted which was marked up to show the proposed amendments.

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Nifong, Council voted unanimously to call for a public hearing to be held on Monday, March 4, 2013, at 7:00 p.m. at the Midway Fire and Rescue Building, 228 Midway School Road, in Midway to receive citizen input on the proposed amendments to the ordinance establishing the Town of Midway Planning and Zoning Board/Board of Adjustment.

Town Manager Ryan Ross reported that due to the recent resignation of Tom Lynge from the Planning Board, there is a vacancy on the Board that needs to be filled as quickly as possible, explaining there are several important matters the Board will need to address.

When the prior vacancy was filled by Tom Lynge, two other Midway residents had expressed interest in serving on the Planning Board, Keith Leonard of 569 Payne Road and Jamie Hester of 324 Eller Road, both residing in Midway. Town Manager Ryan Ross told Council that both Mr. Leonard and Ms. Hester are still interested in serving on the Planning Board.

Mayor Wilkes opened the floor for nominations.

Councilor Byrum nominated Keith Leonard.

Councilor Moon nominated Jamie Hester.

There being no further nominations, the nominations were closed.

On motion by Councilor Nifong, seconded by Mayor Pro Tem Mike McAlpine, Council appointed Keith Leonard to the Town of Midway Planning Board/Board of Adjustment with the appointment to become effective immediately by a 4-1 split vote. Voting for: Mayor Pro Tem Mike McAlpine and Councilors John Byrum, Todd Nifong and Sue Stephens. Voting against: Councilor Robin Moon.

Council requested Planning Board Chairman Jackie Edwards to inform Mr. Leonard of his appointment that is effective immediately.

### **TOWN MANAGER'S REPORTS**

#### **REPORT - STREET LIGHTING OF TOWN'S THOROUGHFARES**

Town Manager Ryan Ross reported that Duke Energy and the North Carolina Department of Revenues are in the process of preparing scale drawings for the street lights to be installed that have been approved by Town Council.

To provide an update only.

#### **JOINT MEETING OF TOWN COUNCIL AND PLANNING AND ZONING BOARD FOR LONG-RANGE PLANNING**

Town Manager Ryan Ross reported that due to a scheduling conflict, the joint meeting of the Town Council and the Planning Board scheduled for February 11, 2013 has to be cancelled and will need to be rescheduled.

After discussion, it was the consensus of Council to set Saturday, March 16, 2013, from 9:00a.m. to 12:00 noon for the joint meeting to be held in the conference room at Faith Missionary Alliance Church.

#### **WEBSITE/SOCIAL MEDIA**

Town Manager Ryan Ross reported the new website for the Town of Midway is nearly complete and ready to be put online, pending final approval of the Town Council.

Mr. Ross has forwarded a link to the new website for Council's review and input.

#### **RECESS TO CLOSED SESSION**

On motion by Councilor Byrum, seconded by Councilor Stephens, Council voted unanimously to recess to closed session in accordance with NCGS 153-318.11 (a)(b) for the purpose of discussion of acquisition of property.

#### **RECONVENE TO OPEN SESSION**

On motion by Mayor Pro Tem Mike McAlpine, seconded by Councilor Nifong, Council voted unanimously to reconvene to open session.

After reconvening to open session, Councilor Stephens led Council in a discussion regarding the utmost importance of keeping matters discussed in closed session completely confidential as permitted under NCGS 153-318.11(a) for closed sessions.

#### **ADJOURNMENT**

On motion by Councilor Byrum, seconded by Councilor Stephens, Council voted unanimously to adjourn the meeting.

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Norman L. Wilkes, Mayor

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Linda A. Hunt, Town Clerk